



**Agenda Item Number: 2005-1-9A**

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** January 11, 2005

**Department:** Zoning, Building, Planning & Environmental Health  
**Staff Contact:** Sanford Fish, Director  
Julie M. Baca, Deputy County Manager,  
Community Services Division

**TITLE:** Moratorium on Zone Change and Special Use Permit applications in the South Valley

**ACTION:** Motion to approve Administrative Resolution **AR** -2005 approving a moratorium on Zone Change and Special Use Permit Applications in the South Valley.

### **SUMMARY:**

On September 28, 2004, the Board approved an agenda item directing staff to establish moratorium guidelines and review other regulations aimed at addressing concerns related to development issues in the South Valley. The Board also established a new Associate Planner's position to provide additional assistance in working with representatives of the South Valley community on these issues.

Residents of the South Valley have raised concerns regarding traffic impacts and the effects on the area's utility system, as well as the overall impacts of new developments on the character of the area. The attached moratorium calls for a review of development standards as well as an analysis of potential methods for preserving agricultural lands in the Valley and an analysis of available infrastructure to support new development. The County would not accept new applications for zone changes or special use permits during the six-month moratorium period.

### **ATTACHMENT:**

1. Administrative Resolution **AR** -2005

### **FISCAL IMPACT**

Potential loss of revenue from Zoning cases. Estimate is \$5-6,000 during the six-month moratorium.

### **STAFF ANALYSIS SUMMARY**

#### **COUNTY MANAGER**

The South Valley community has seen an increase in development requests over the past four years. Staff has been unable to address the overall impact on these current and proposed developments. This six-month moratorium will allow staff the time to assess the impacts and provide the Commission with recommended changes to County Code and policies. TL 1/5/05

## **DEPUTY COUNTY MANAGER FOR COMMUNITY SERVICES**

The moratorium calls for a review of the development standard of the South Valley. It is essential for the preservation of the agriculture lands of the valley and for the land use policies to maintain the character of the South Valley. This moratorium will provide clear direction in order to achieve quality development and retain agriculture in this area where land use and development change are occurring rapidly. Recommend approval of moratorium for six months. Julie M. Baca, 01/01/05

## **DEPUTY COUNTY MANAGER FOR PUBLIC WORKS**

Drainage infrastructure planned for the South Valley from the Isleta Phase II Project, the South Valley Flood Reduction Project and Black Mesa Drainage Project will include pond site locations that will require the Division to obtain special use permitting. The Isleta Phase II Project is scheduled to begin construction by Mid-Summer 2005. Partial rights-of-way acquisition has commenced. The special use permitting will be needed for the pond sites to be included in the construction bidding documents.

The South Valley Flood Reduction Project will have similar needs; however, it is not scheduled for construction until FY2006 and may not have the same timely impacts as Isleta Phase II. The Black Mesa Drainage Project is currently in design and will also utilize land area for pond locations requiring special use permitting. It is requested that Public Works be exempted from the moratorium for the reasons described. TW 12/1/04

## **LEGAL**

It is a factual determination, but this moratorium does not cause anyone to lose all beneficial use of their property, is clearly temporary, and is in effect to minimize or eliminate harm to the health, safety, and welfare of the residents of this area of the County of Bernalillo. Resolution approved as to form. TDC 12/2/04

## **FINANCE**

**Budget** Approval of this item may result in a decrease of revenue. Estimated revenue loss is \$6,000 during the moratorium period of six months. The fiscal impact from this action to the County is minimal. Priscilla L.Gutierrez, Budget Analyst Sr. 11/23/04